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REMARKS

Claims 1-3, 5, 7-9, 11-14 and 16-18 are pending in the application.

Claims 1-3, 5, 7-9, 11-14 and 16-18 are rejected.

Thus, claims 1-3, 5, 7-9, 11-14 and 16-18 remain pending for reconsideration, which is respectfully requested.

No new matter has been added in this Reply.

CLAIM REJECTIONS – 35 U.S.C. §103

Claims 1-3, 5, 7-9, 11-14, 16 and 17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Kenney (US 6,381,583) in view of Zweig (US 6,658,325). Page 2, item of the Office Action. Zweig is newly cited, and, thus, newly relied upon.

Claim 18 was rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kenney and Zweig as applied to claim 1 above, and further in view of Van Kommer (6,584,376). Page 7 of the Office Action. Van Kommer is newly cited, and, thus, newly relied upon.

The Examiner newly relies on Zweig's disclosure about using a robot with a camera to relay its activities and position to a remote computer, to reject the claimed present invention's "outputting to a robot including a camera, a first request for acquiring image information at this moment according to said designated display manner of the selected article itself, said robot provided for a real shop and moving around within said real shop." See, Zweig, column 3, lines 19-22, column 4, lines 30-31, column 7, lines 46-49, and column 9, lines 34-53, which are relied upon by the Examiner, as well as column 8, lines 25-48.

Support for the claimed present invention in independent claims 1, 7 and 12 can be found, for example, in FIG. 19 and page 20, line 9 to page 23, line 21, of the present Application.

Zweig does not provide any suggestion (or motivation) to be combined with Kenney or to modify Kenney to achieve the claimed present invention as recited in independent claim 1, 7 and 12, because Zweig does not contemplate using an in-store mobile robot for online shopping, but Zweig discloses bringing a mobile robot in the vicinity of multiple short range, bi-directional, digital radio links (SBDRL) external peripherals, as "robotic cooperative equipment"

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to augment functions of the robot (column 3, line 63 to column 4, line 39, column 4, lines 47-57 and column 8, lines 25-37).

Zweig teaches away from the claimed present invention, by requiring multiple SBDRs together with a mobile robot, because, Zweig discloses in column 8, lines 25-37, that a mobile robot with a camera by itself may not be desirable because of a limited field of view. However, a limited field of view of a mobile robot with a camera is outweighed in the present invention's a ***real-time interactive image online shopping*** environment by obviating using SBDRs as lots of cameras, which do not move, for being intrusive to the in-store shoppers, as provided in page 2, lines 16-20 of the present Application. In other words, the claimed present invention provides that for a ***real-time interactive image online shopping***, a mobile robot with a camera is desirable. And the claimed present invention provides, "outputting to a ***robot including a camera, a first request for acquiring image information at this moment*** according to said ***designated display manner of the selected article*** itself, ***said robot provided for a real shop and moving around within said real shop.***"

Further, although Zweig discloses, for example, in column 7, lines 46-49 (which is relied upon by the Examiner), that "prior art generally teaches that mobile robots primarily interact with their environment through sensors and mechanical actuators (robotic arms, and the like) located on the robot itself," Zweig does not disclose or suggest as the robot environment the claimed present invention's, "robot provided for a real shop and moving around within said real shop" for purpose of "selling a commodity via a network" when "instruction information regarding a ***designated display manner of an article, which was selected from among a plurality of articles of one commodity***, is received from a user terminal, ***outputting to a robot including a camera, a first request for acquiring image information at this moment*** according to said designated display manner ***of the selected article itself.***"

Therefore, Zweig cannot provide a motivation to be combined with Kenney or to modify Kenney to achieve the claimed present invention, and even if one combined Zweig with Kenney, the combined system would not disclose the claimed present invention, as follows:

Kenney does not disclose or suggest any desirability to modify the Kenney system to provide the claimed present invention's, "robot provided for a real shop and moving around within said real shop," because Kenney is directed to using cameras in the store to electronically capture images of the store's contents for computerized interactive viewing by its

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customer (column 3, lines 49-52, column 5, lines 27-46, and column 7, lines 39-44), but Kenney is not concerned with providing the claimed present invention's *real-time* computerized interactive viewing by locating a robot in the store. Kenney discloses in column 5, lines 1-2, "creates an electronically produced, electronically transmittable visual replica of a display of goods or other objects at a shopping facility," but *not a real-time* image replica. And none of the Kenney's example image converting means 6 and digital camera 8 in FIGS. 1 and 2, disclose or suggest the claimed present invention's, "if instruction information regarding a **designated display manner of an article, which was selected from among a plurality of articles of one commodity**, is received ... **outputting to a robot including a camera, a first request for acquiring image information at this moment** according to said designated display manner **of the selected article itself**, said robot provided for a real shop and moving around within said real shop ... **to enable a user of said user terminal to evaluate an actual state** of the selected article itself."

Therefore, the claimed present invention as recited in independent claims 1, 7, and 12 is patentably distinguishing over Kenny and Zweig, as follows:

1. (PREVIOUSLY PRESENTED) A method of selling a commodity via a network, said method comprising:

if instruction information regarding a **designated display manner of an article, which was selected from among a plurality of articles of one commodity**, is received from a user terminal, **outputting to a robot including a camera, a first request for acquiring image information at this moment** according to said designated display manner **of the selected article itself, said robot provided for a real shop and moving around within said real shop**; and

transmitting to said user terminal, said image information of the selected article itself to enable a user of said user terminal **to evaluate an actual state** of the selected article itself, said image information taken by said camera included in said robot.

In addition, even if it would be possible to combine Kenny and Zweig, such a combined system fails to disclose or suggest the present claimed invention's, "if instruction information regarding a **designated display manner of an article, which was selected from among a plurality of articles of one commodity**, is received ... **outputting to a robot including a camera, a first request for acquiring image information at this moment** according to said designated display manner **of the selected article itself**, said robot provided for a real shop

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and moving around within said real shop ... **to enable a user of said user terminal to evaluate an actual state** of the selected article itself" (e.g., claim 1). Kenny in column 1, lines 47-48, discloses: "[t]he shopper can examine individual products." However, as described in the Summary of the Invention in Kenny, the image for the product is stored in a computer storage medium in advance, so that Kenny does not provide a real-time image of a product. Because all images for all articles of all products in the shop are not (and cannot practically) be stored in advance, in Kenny, it is not possible for the user **"to evaluate an actual state"** of every available selected article itself in real-time.

In other words, in Kenny, the term "individual product" indicates a specific kind or a type of the product. On the other hand, in claimed present invention, the recitation **"an article, which was selected from among a plurality of articles of one commodity"** indicates a particular item (**or an actual item in real-time**) from many of such items. That is, there is a large difference between the meaning of the "individual product" in Kenny and the present claimed invention's meaning of **"an article, which was selected from among a plurality of articles of one commodity,"** as follows. As described in the specification, page 5, lines 1 to 5, when the user would like to buy an article of a commodity whose condition (for instance, size, freshness, shape etc.) is different from among the articles, such as perishable foods, the user has to **"evaluate an actual state"** of the selected article itself to buy the very best one, which the claimed present invention accommodates.

The examiner cites Fig. 7 in Kenny. However, Kenny's description for Fig. 7 is only in col. 9, line 57 to col. 10, line 4, which only indicates displaying items to be reordered and on special. Therefore, Fig. 7 shows only a display of kinds/types of commodities, and does not disclose or suggest the claimed present invention's, "if instruction information regarding a **designated display manner of an article, which was selected from among a plurality of articles of one commodity,** is received ... **outputting to a robot including a camera, a first request for acquiring image information at this moment** according to said designated display manner **of the selected article itself,** said robot provided for a real shop and moving around within said real shop ... **to enable a user of said user terminal to evaluate an actual state** of the selected article itself." In other words, Kenny's FIG. 7 does not concern a real-time image of actual real articles.

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Further, the claimed present invention's, "if instruction information regarding a **designated display manner of an article, which was selected from among a plurality of articles of one commodity**, is received ... **outputting to a robot including a camera, a first request for acquiring image information at this moment** according to said designated display manner **of the selected article itself**, said robot provided for a real shop and moving around within said real shop ... **to enable a user of said user terminal to evaluate an actual state** of the selected article itself" is not disclosed and suggested in both Kenny and Zweig. As described below, Zweig does not disclose and suggest that the robot moves within a real shop to provide the claimed present invention's "method of selling a commodity via a network." Therefore, Zweig does not disclose and suggest a situation in which one tomato is selected among a lot of tomatoes exhibited in the shop, for example. The examiner cites Zweig, Abstract, Col. 3, lines 19-22, Col. 4, lines 30-31, and Col. 7, lines 46-49). However, the robot in Zweig does not move around within a real shop. Especially, Col.4, lines 28-29, indicates the robot moves around within a "home." Therefore, any motivation to use the robot in the real shop does not occur.

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DEPENDENT CLAIM 17

The examiner cites Col 3, lines 19-22, Col 9, lines 34-58 in Zweig to reject claim 17 together with claim 2. However, these portions do not disclose and suggest the idea "a selection of another article of said one commodity." This is because the robot in Zweig is not provided for shopping. Also, because the products of the same type are all handled as the same ones in Kenny (i.e., because Kenny relies on pre-stored images concerning shopping), Kenny cannot provide the present claimed idea of "another article of said one commodity." This is because the meaning of "individual product" in Kenny is different from the meaning of "article" in the claimed present invention, as discussed above concerning independent claims 1, 7 and 12.

In contrast to Kenny and Zweig, the claimed present invention as recited in claim 17 provides:

17. (PREVIOUSLY PRESENTED) The method as set forth in claim 1, further comprising:

if third instruction information regarding **a selection of another article of said one commodity is received from said user terminal**, outputting to said robot, **a third request for acquiring image information for said another article at this moment according to said third instruction information**; and

transmitting to said user terminal, said image information for said another article to enable said user of said user terminal **to evaluate an actual state** of said another article itself, said image information taken by said camera included in said robot.

Kenny and Zweig fail to disclose or suggest the claimed present invention's, "to evaluate **an actual state** of said another article itself" (e.g., claim 17).

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DEPENDENT CLAIM 5

The examiner cites Col. 7, lines 46-49, and Col. 9, lines 34-49 in Zweig. However, there is no description and suggestion for "a purchase instruction," and "identification information of said selected article itself." Zweig uses any sensor. However, there is no description and suggestion to detect the identification information of said selected article itself (i.e., the actual article in real-time). As described above, because there is no configuration to distinguish one article of one commodity in both Kenny and Zweig, they cannot handle the claimed present invention's, "Identification information of said ***selected article itself***" or identification information of the actual article in real time.

In contrast to Kenny and Zweig, the claimed present invention as recited in dependent claim 5 provides,

5. (PREVIOUSLY PRESENTED) The method as set forth in claim 1, further comprising:
 - if a purchase instruction of the selected article is received from said user terminal, ***acquiring identification information of said selected article itself***, and
 - transmitting said identification information of said ***selected article itself*** to said user terminal.

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CONCLUSION

In view of the remarks, withdrawal of the rejection of pending claims and allowance of pending claims is respectfully requested.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,
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